

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ABULHAJ and CELIKOGLU

Serial Number: To Be Assigned

Filed: Concurrently

For: LANCET NEEDLE ANCHOR

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.56 and §1.97(b), Applicants bring to the attention of the Examiner the patents listed below and on the attached Form PTO-1449:

U.S. Patent No. 3,358,689 to Higgins  
U.S. Patent No. 5,100,427 to Crossman et al.  
U.S. Patent No. 5,207,699 to Coe  
U.S. Patent No. 5,385,571 to Morita.  
U.S. Patent No. 3,330,004 to Cloyd et al.  
U.S. Patent No. 5,913,868 to Marshall et al.  
U.S. Patent No. 6,331,174 to Reinhard et al.  
U.S. Patent No. 6,346,115 to Lawrence.

In the above-captioned U.S. patent application, the sole independent claim is Claim 8 which recites the combination of a lancet having a needle or blade with an elongated body portion (1) having an axis of elongation, (2) having a sharpened end, and (3) including an anchor spaced from the sharpened end and located within the plastic body enclosing the needle or blade body portion,

the anchor deviating from the axis of elongation to preclude the needle or blade from moving within the plastic body, the plastic body having opposed ports revealing the body portion of the needle or blade.

Higgins, Crossman et al., Coe and Morita were cited during the course of the prosecution of Applicants' U.S. Patent No. 6,589,261. None of them teaches or suggests a lancet needle anchor as claimed in the above-captioned U.S. patent application.

Higgins fails to teach or suggest the combination of the anchor and the opposed ports. Crossman et al. teach "radial holes 6" (column 2, line 46) as opposed to Applicants' diametrical hole formed by opposed ports. Crossman et al. fail to teach or suggest Applicants' anchor.

Coe teaches a lancet handling and disposal assembly and fails to teach or suggest Applicants' opposed ports and anchor.

Morita teaches a lancet devoid of opposed ports or an anchor as claimed.

Applicants recently became aware of the patents to Cloyd et al., Marshall et al., Reinhard et al., and Lawrence. Each of the claims patentably distinguishes from these references.

Cloyd et al. teach a hypodermic syringe in which the syringe has a plastic body molded thereabout with a port formed during the molding process to bend a portion of the syringe, whereupon the port is filled with plastic material during the molding process to

preclude its movement within the plastic body identified by the reference numeral 2 and best seen in Figure 1 thereof. The present invention as recited in independent Claim 8 distinguishes from Cloyd et al. in that Cloyd et al. do not disclose a lancet and do not disclose opposed ports. If the port of Cloyd et al., shown in phantom in Figure 2, were not filled with plastic material during the molding process, the needle 3 could rotate within the plastic body. Even where Cloyd et al. employs two ports during the molding process (Figure 4), these ports are not opposed and they are filled with plastic material by the time the device has been manufactured.

Marshall et al. teach a blood sampling device with the clear disclosed intent that the needle 2 thereof may reciprocate within the plastic body 1 that encloses it. In the present invention, the anchor is provided to absolutely preclude any movement. Thus, providing Marshall et al. with an anchor precluding movement would destroy the Marshall et al. device for its intended purpose.

Reinhard et al. teach a syringe as opposed to Applicants' lancet in which the embodiment of Figure 4 shows a bend 12 to preclude movement of the syringe. Reinhard et al. fail to teach or suggest a lancet nor do they teach or suggest opposed ports as claimed by Applicants.

Lawrence teaches a sliding knife and needle assembly and discloses a retaining bulb 36 designed to hold the needle 30 in

fixed position in the handle 12. Lawrence fails to teach or suggest a lancet nor the opposed ports of the present invention.

Accordingly, the claims are believed to patentably distinguish from these patents.

Respectfully submitted,

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FORM PTO-1449  
(REV. 7-80)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

DDI-1/DIV II/USA

APPLICANT

ABULHAJ AND CELIKOGLU

FILING DATE

GROUP

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	3 3 5 8 6 8 9		Higgins			
AB	5 1 0 0 4 2 7		Crossman et al.			
AC	5 2 0 7 6 9 9		Coe			
AD	5 3 8 5 5 7 1		Morita			
AE	3 3 3 0 0 0 4		Cloyd et al.			
AF	5 9 1 3 8 6 8		Marshall et al.			
AG	6 3 3 1 1 7 4		Reinhard et al.			
AH	6 3 4 6 1 1 5		Lawrence			
AI						
AJ						
AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
	AN							
	AO							
	AP							

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	
AS	
AT	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.